

FDA STAFF MANUAL GUIDES, VOLUME II - DELEGATIONS OF AUTHORITY

ADMINISTRATIVE - PERSONNEL

**AUTHORITY TO REVIEW AND/OR CONSIDER PUBLIC AND CONFIDENTIAL
FINANCIAL DISCLOSURE REPORTS**

Effective date: March 25, 2014

1. AUTHORITY DELEGATED AND TO WHOM DELEGATED.

- A. The following officials are authorized to review and certify Confidential Financial Disclosure Reports (Form OGE 450 and Form FDA 3410) submitted by confidential filers and special government employees including experts, consultants, and advisory committee members who are not required to submit a public financial disclosure report in accordance with the Ethics in Government Act of 1978 (Public Law 95-521, as amended by, inter alia, the Ethics Reform Act of 1989, Public Law 101-194), and 5 CFR Part 2634, "Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture."
- B. To review and certify the Report of Prohibited Financial Interests for Employees of the Food and Drug Administration (Form HHS 717-2).
- C. To receive and review Public Financial Disclosure Reports (Form OGE-278) required to be filed under section 101 of the Ethics in Government Act of 1978 (as amended by the Ethics Reform Act of 1989), 5 U.S.C., Appendix 6, section 101.
- D. Deputy Commissioner for Operations & Chief Operating Officer is delegated the authorities listed in 1.A., 1.B and 1.C.
- E. Director, Division of Ethics & Integrity, is delegated the authorities listed in 1.A, 1.B and 1.C.
- F. Program Integrity Officers, Division of Ethics & Integrity are delegated the authorities listed in 1.A, 1.B. and 1.C.
- G. Individuals in the Centers and Offices involved in advisory committee conflict of interest review for FACA SGEs are delegated the authority listed in 1.A.

All previous delegations of authority inconsistent with the provisions of this delegation are superseded.

2. LIMITATIONS.

Any Form OGE-278 filed by the Commissioner of Food and Drugs, the Deputy Ethics Counselor, and all political appointees, including non-career Senior Executive Service employees and Schedule C employees, will be forwarded to HHS, Office of the Associate General Counsel for Ethics for approval.

3. REDELEGATION AND CERTIFICATION.

The authorities listed in 1.A. and 1.B. may be redelegated. Any redelegation must be in writing and specify the nature and extent of the authority redelegated. Delegates must be certified as knowledgeable about the legal, regulatory, and policy requirements regarding Confidential Financial Disclosure Reports and/or Reports of Prohibited Financial Interests for Employees of the Food and Drug Administration.

A copy of the redelegation of this authority must be furnished to HHS, Office of the General Counsel, Ethics Division, and to the FDA Reorganization Coordinator and Principal Delegation Control Officer. Delegates are subject to compliance audits.

The authorities listed in 1.C. may not be redelegated.

4. EFFECTIVE DATE.

The Deputy Commissioner for Operations & Chief Operating Officer approved this delegation, via memorandum, on March 25, 2014.

STATUS (I, R, C)	DATE APPROVED	LOCATION OF CHANGE HISTORY	CONTACT	APPROVING OFFICIAL
Initial	12/16/2009	N/a	OC/OA/ OM/OMP	R. Abbott, Deputy Commissioner for Administration
Revision	09/16/2013	N/a	OO/DIE/EIS	Walter S. Harris, M.B.A. Deputy Commissioner for Operations & Chief Operating Officer
Revision	03/25/2014	N/a	OO/DEI	Walter S. Harris, M.B.A. Deputy Commissioner for Operations & Chief Operating Office